

Item:	_____
Fiscal Impact:	_____ N/A
Funding Source:	_____ UTA
Account No:	_____ N/A

ISSUE:

Approve a resolution to authorize condemnation to acquire a portion of the Decker Lake Ventures, LLC property located at 2801 South Decker Lake Drive for Light Rail.

SYNOPSIS:

Although the required legal notice was sent to the correct property address, the property owner is located at another address. In an effort to comply with all legal requirements and give the owner an addition opportunity to respond to the condemnation, notice was subsequently sent to the owner. Due to additional noticing concerns regarding the timing between the letter and the initial date scheduled for a vote on the resolution, the processing of this resolution must be completed again.

UTA is currently negotiating the purchase of 10,510 square feet of real property and a 2,631 square foot easement from the Decker Lake Ventures, LLC with Clear Channel as a tenant. At present, it appears that condemnation will be necessary to complete the acquisition. This resolution is requested in the likely event that condemnation becomes necessary.

BACKGROUND:

This property is one of the properties from which property will be purchased for the light rail station on Research Way near Redwood Road and is located on a corner where the tracks make a turn to the south. The turn necessitates additional ROW. The current right-of-way width is large but under the road is a box culvert from Decker Lake that needs to be avoided when possible and the turn consumes more ROW.

RECOMMENDATION:

Approve resolution.

SUBMITTED BY:

Richard Catten, City Attorney
John M. Janson, Planning Director